

Lynn, S.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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CLASSY KID, INC.,

Plaintiff,

-v.-

DIXON TICONDEROGA COMPANY,

Defendant.

ECF CASE

CIVIL ACTION NO. 07-CV-11175 (GEL)

**STIPULATION AND [REDACTED] ORDER**

WHEREAS, Plaintiff, CLASSY KID, INC. ("Plaintiff"), filed a Complaint against Defendant, DIXON TICONDEROGA COMPANY ("Defendant"), on December 11, 2007, alleging that Defendant has infringed on Plaintiff's trade dress;

WHEREAS, Plaintiff served Defendant with a Summons and a copy of the Complaint on January 8, 2008;

WHEREAS, pursuant to Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, Defendant's response to Plaintiff's Complaint was originally due to be served on Monday, January 28, 2008;

WHEREAS, the parties stipulated to an enlargement of time for Defendant to respond to the Complaint through and including February 11, 2008 and to further enlargements of time for Defendant to respond to the Complaint through and including May 2, 2008;

WHEREAS, the Court entered Orders approving the stipulations on or about January 30, 2008, February 13, 2008, February 27, 2008, March 24, 2008, and April 16, 2008;

WHEREAS, Plaintiff and Defendant have been attempting to resolve the dispute between them without further litigation, and are attempting to reduce a conceptual agreement to writing.

WHEREAS, in the event that Plaintiff and Defendant are not able to reduce the agreement to writing, Defendant will require additional time to respond to the allegations of Plaintiffs Complaint;

WHEREAS, the parties agree that under the circumstances a further enlargement of time for Defendant to respond to the Complaint through and including May 23, 2008 is appropriate;

Subject to the approval of the Court, it is HEREBY STIPULATED AND AGREED, by and among the parties, that Defendant's time to move, answer, or otherwise respond to the Complaint in this action is extended through and including, May 23, 2008.

Dated: May 2, 2008.

Jeffrey Sonnabend (JS1243)  
SONNABENDLAW  
600 Prospect Avenue  
Brooklyn, NY 11215-6012  
Telephone: 718-832-8810  
jSonnabend@SonnabendLaw.com

*Counsel for Plaintiff, Classy Kid, Inc.*

John C. Vetter (JV8584)  
AKERMAN SENTERFITT  
222 Lakeview Avenue, 4th Floor  
West Palm Beach, FL 33401  
Telephone: (561) 653-5000  
Facsimile: (561) 659-6313

*and*

Scott Kessler (SK5510)  
AKERMAN SENTERFITT LLP  
335 Madison Avenue, 26<sup>th</sup> Floor  
New York, NY 10017-4636  
Telephone: 212-880-3800  
scott.kessler@akerman.com

*Counsel for Defendant,  
Dixon Ticonderoga Company*

**SO ORDERED**

BY:   
**HONORABLE GERARD E. LYNCH, U.S.D.J.**

Dated: 5/5/08

{WP493910;1}